

U.S.D.C. SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 01/18/2021
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X		
RED HAWK, LLC,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	20-CV-9032 (VEC)
	:	
COLORFORMS BRAND LLC,	:	<u>ORDER</u>
	:	
Defendants.	:	
-----X		

VALERIE CAPRONI, United States District Judge:

WHEREAS an initial pretrial conference is scheduled for Friday, January 22, 2021, at 2:30 P.M., Dkt. 20;

WHEREAS on January 13, 2021, the parties notified the Court that they believe an initial pretrial conference is unnecessary, Dkt. 21;

WHEREAS the Court's subject matter jurisdiction is premised on diversity, Compl., Dkt. 1 ¶ 4;

WHEREAS in their joint letter, the parties informed the Court that the members of Red Hawk, LLC are citizens of Connecticut, California, and New Jersey and that the members of Colorforms Brand, LLC are citizens of different states, Dkt. 21; and

WHEREAS the Complaint does not mention whether venue is proper in accordance with 28 U.S.C. § 1391;

IT IS HEREBY ORDERED that the initial pretrial conference scheduled for Friday, January 22, 2021 is cancelled.


IT IS FURTHER ORDERED that by no later than **Friday, January 29, 2021**, the parties must submit a joint letter in which Defendant lists the citizenships of the members of the

Defendant LLC and Plaintiff explains why venue is proper in the Southern District of New York in accordance with 28 U.S.C. § 1391.

IT IS FURTHER ORDERED that if, at any time, both parties want a settlement conference with the assigned Magistrate Judge or a referral to the Court-annexed mediation program, they may submit a joint letter requesting a referral.

**SO ORDERED.**

**Date: January 18, 2021**  
**New York, New York**

  
**VALERIE CAPRONI**  
**United States District Judge**